

whom the Constitution says the militia shall consist. Because no license is required for those 3,000, but all other voluntary associations are forbidden under penalty of fine and imprisonment to organize without license, which the Governor may grant or refuse at his arbitrary will and pleasure. And because this legislation

responsibility upon every Judge ought to feel who takes it upon himself to declare a law of his State unconstitutional or in conflict with a constitutional law of Congress.

In *Houston vs. Moore*, 5 Wheat, 13, a leading authority upon the whole subject, Mr. Justice Washington said:

It will be necessary to inquire: (1) What are the powers granted to the Federal Government by the Constitution; or (2) What extent have the militia; and (3) To what extent have they been assumed by Congress.

1. The Constitution declares that Congress shall have power to provide for calling out the militia in three respects: For organizing, arming, and disciplining them, and for governing such part of them as may be employed in the service of the United States; leaving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline pre-

passenger cases, 7 How. 288. Later decisions have held that such statutes criminalize those who assist in the traffic. In 1857, it was decided that the States can not by police regulations interfere with the control by Congress over inter-State commerce; as, for instance, forbidding the introduction into the State of Missouri or Texas cattle at certain seasons. (*Hausman & St. Jo. Railroad v. August*, 10 U. S. Rep., 465.) The opinion in that case distinctly reserves the Supreme Court of Illinois in *People v. Hays*, 19 Ill. Rep. 254, and the latter Court has within a month confirmed its subsequent decisions on this subject to the law of the United States.^{*} It is therefore no longer a question whether the regulation is valid in the country. (*Greenstein vs. Mays*, 11 Chicago Legal News, 367.)

CONGRESS MAY ESTABLISH POLICE REGULATIONS AS WELL AS THE STATES, CONFIRMING THEIR OPERATION

when it is necessary to execute the laws, suppress insurrections, or repel invasion, or to quell insurrection, the Governor, as Commander-in-Chief, may by his proclamation require it."

I cannot bring myself to think that it was the intention of Congress to require the enrollment of the militia as a condition of a claim of repugnance to both the letter and the spirit of the acts of Congress, and wholly irreconcilable to the declared purposes of our act under which it is pretended the Governor is claiming.

Coming now to the third section, with its 50,000 volunteers, their five years' enlistment, and their service only in the Command of the Chief, I think that, although called the "active militia" and "the Illinois National Guard," there is absolutely no provision anywhere in

ady of the Palace of the Archbishops Hohenburg,
 in Vienna, Austria, on the 25th of the present
 month of October; hereby make due an-
 nouncement of the proximate wedding of their
 daughter, Marie, Bealm-Countess of Starheim-
 berg, with the Highly-Born Bealm-Count
 Gundard of Wetsenwoltz, Baron of Sonneck
 and Eusech, Honorary Knight of the Sovereign
 Order of St. John, Colonel, Hereditary Territo-
 rial Court-Master in Austria, afore the Enn, son
 of the Highly-Born Bealm-Count Gundard of
 Wetsenwoltz, Baron of Sonneck, and of the
 Countess of Wetsenwoltz, born Bealm-Count-
 ess Kraszka, Lady of the Star-Cross Order, and
 of the late Count, Bealm-Count Gundard
 and Gundard of Wetsenwoltz.

[illegible]

do in the matter of the Mayor
and upon the rest
which had been
When these circumstances
was. But in the af-
stated that he was trying
troubles with the Ameri-
He had, he said, called for
forenoon, and stated the
the troubles. In the af-
forenoon, and Mr. Tanco be-
which were to make the
the Company as soon
offer to give his vote
and three years. He
said that this was
the world, greater
from time to time as he

HAVERLY'S THEATRE.

The Great Dramatic Event of the Season!

NASBY'S

WIDOW BEDOTT!

WIDOW BEDOTT!

NEIL BURGESS!

NEIL BURGESS!

NEIL BURGESS!

AS THE "WIDOW."

GEORGE STODDART!

GEORGE STODDART!

AS "ELDER SNIFFLES."

A CROWDED HOUSE AND A PLEASED AUDIENCE!

LAUGHTER AND CONTINUOUS APPLAUSE!

SEE WHAT HAS BEEN SAID OF IT ELSEWHERE.

"There is probably no one on the American Stage who is so well adapted to the character of the 'Widow' as Mr. Neil Burgess,—it is a wonderful piece of character-acting."—Baltimore Sun.

"From the first to the last act was one continuous roar of hearty laughter."--Washington Daily Critic.

"When it is said that 'Nasby' is the author, it goes without further argument that fun--good fun--predominated. Indeed, there are any number of points in the dialogue that are of a high order of merit. The situations are decidedly effective, and the closing of the acts broadly humorous."--Baltimore Sun.

A POSITIVE AND PRONOUNCED SUCCESS!
THIS AND EVERY EVENING OF THE WEEK.

Spofford replied that not more than \$229

The first vote of Mr. Fitzgerald was in the affirmative, but he changed it in order, as he said

the election of the Toll-Road Inspectors then up. The nominations were: P. L. Tahay, ass. John N. Hills, Meyer Blum, L. Poyer, Henry Lamb. After a good deal of shouting and squabbling, Busse, Poyer, and Hill were

amounting to \$1,388.32, was reported upon the Committee on Public Service, and the board approved the report.

Journed.

Birth of an Unborn Child—The Cesarean Operation Performed in Cincinnati.

Cincinnati Enquirer, Aug. 30.

Antel Coin, a porter employed at the Barstow, resides in a portion of No. 50 M-Farland street, between Plum and Central avenue. He is a young man, and was married, about eleven

ago to a young woman who was 21 years of age at the time. Both were Catholics, were married by a Catholic priest. On Monday last Mrs. Coin took sick with something like croup, which turned into diphtheria. Yesterday she became much worse, being seized with a choking spasm. At about 11 o'clock Dr. Reamy, of 10th and John streets, was called in, and pronounced the young woman beyond the reach of human aid. There was nothing to be done, the doctor said the patient would die before

of the Church of the Atonement, an urgent request to Dr. Beamy to go to Coit's house, adding that he wished him on a very important matter. Accompanied by Dr. Mitchell, the physician rode to the residence of the dying woman, where he was asked if it were possible, after the death of the young wife, to remove alive the six-months' unborn child. The answer was that there was a mere possibility only. The doctor stated that the object of desiring such an attempt was to perform the rite of baptism on

Just while there was life yet remaining in her, there were present the husband and father mother of the young wife. They, as was the priest, made the request that the operation be performed.

About 3 1/2 o'clock Mrs. Coin died. As soon as was pronounced dead by the physicians, they set about carrying out their instructions. The child was removed entirely from its dead mother, and before it expired Father Cusick seized it. Immediately thereafter all signs of life passed from the child, and it was laid in its coffin.

child there was an incision made in the men of the corpse, and the uterus was held. Dr. Rowan then lifted the babe up and held it while the priest performed his duty.

It is needless to state as a matter of information that the rigid belief of the Catholic is that life which passes from a body that has not been baptized is lost. It was the anxiety of the mother and grandparents of the child for the salvation of its soul that prompted them to resort to the means employed to secure the baptism.

The Empress Eugenie.

Paris *Gaulois* says that the Empress Eugenie is still in the same state of depression. She receives nobody, and dines alone in her apartment. She only leaves her room into that of her son. On the first day after her husband's death she had entered it since his burial she nearly fainted holding the fatal saddle which cost Prince Imperial his life. The Empress supports herself with the consolations of religion.

ation to read pious works to her, such as
of St. Augustin and Massillon. Her
city is still obliged to take enforcé to obtain
Her friends have tried in vain to induce
to change her residence and go to Spain;
insists on remaining at Chislehurst for the

the market was about steady at the reduced
of last week. The supply of Western and
and cattle was heavy with the market
At the yards the demand
rent prices:
Third clear, 1@2 inch, rou

number of very poor droves of Texans which

had hard work to dispose of at \$2.00 per 100.
Box boards were offered, and the number of
caves was very small. The highest reports
were at \$4.65. Most of the transfers were
at \$4.00-4.40 for fat to some native stern;
at \$4.25 for Texas through cattle; and at \$2.65
for Westerns. Of the latter several hundred
left unsold, and some thin natives also went

Box boards 14 in. and up
A stock board, 10½ in. wide
B stock board, 10½ in. wide
C stock board, 10½ in. wide
Fencing No. 1
Fencing No. 2
Common boards
Dimension stuff
Dimension stuff, 2x8-2x10
..... rough and select

.....1.432	4.65	61 Texas	940	2.70
.....1.325	4.65	38	948	2.70

BY TELE

1.285	4.55	20	950	2.70	
1.289	4.45	52 W. Tx.	1.017	2.65	
1.242	4.40	19 W. Tx.	1.046	2.65	FORM
1.336	4.40	104 Texas.	837	2.65	Special Domestic
1.258	4.35	103 Texas.	835	2.65	Letters, Sept. 1-18
1.314	4.30	20 Texas.	950	2.40	1, 11a 3d; No. 2, 5a, 6d
1.227	4.20	19	1.015	2.35	GRAIN—Wheat—Winter.
1.284	4.10	43 Texas.	773	2.40	spring. No. 1, 8a, 9d
1.108	4.15	48 Texas.	817	2.60	No. 2, 8a, 6d; 9

1,144	4.00	44	Texas	788	2.55
1,150	3.80	44	Texas	803	2.50

PROVISIONS—Pork, 48s.

[illegible]

PETROLEUM—Refined, 6

[illegible]

Michigan Central R. R.	180	5,760	2,152
S. M. & D. R. R.	250	2,250	2,250

D. & W. S. R. R.	190	3,769	183
D. & W. S. R. R.	190	3,769	183
D. & W. S. R. R.	1,940	4,769	79
D. & W. S. R. R.	6,650	1,769	2,485
D. & W. S. R. R.	508	500	1,960
D. & W. S. R. R.	133	400	—
D. & W. S. R. R.	10	270	100
Total.....	103,110	371,440	20,051

1778..... 84,100
 1779..... 81,425

Cattle.....
 Hogs.....
 Sheep.....

W. & C. C. R. R.	18,775	10,144	243
W. & C. C. R. R.	17,490	2,490	1,485
D. & W. S. R. R.	10,618	9,618	1,485
D. & W. S. R. R.	2,528	3,010	—
D. & W. S. R. R.	—	—	—
D. & W. S. R. R.	385	—	—
D. & W. S. R. R.	1,768	1,768	—
D. & W. S. R. R.	1,768	1,768	—
D. & W. S. R. R.	1,768	1,768	—
D. & W. S. R. R.	383	—	—
D. & W. S. R. R.	20	—	—
Total.....	53,587	117,427	4,416

Total weight of hogs for the month, 1927.....
 GEORGE F. WILLIAMS

EW YORK.
 NEW YORK, Sept. 1.—BEEVES.—Receipts, 5,400

GROCERIES—Sugars—R.

and killed almost all the birds for some time. Prices, 60¢ per pair for Colorado shrikes, 80¢ per pair; poor to good native. Blue-winged greenlets, 10¢ per pair; fair to good. House finches, 10¢ per pair, and even up to 10¢ for a carload. The price of the shrikes has advanced since the export trade, mainly at 75¢ to 100¢ for a carload for the week ending January 2, \$400 for 100 and \$150 for 250. The following are the prices for the week ending January 2, 1905:—
 Blue-winged greenlets, 9¢; making 80¢ for the 100 and 30¢ for the 250.
 House finches, 10¢; making 100¢ for the 100 and 30¢ for the 250.
 The following are the prices for the week ending January 2, 1905:—
 Blue-winged greenlets, 9¢; making 80¢ for the 100 and 30¢ for the 250.
 House finches, 10¢; making 100¢ for the 100 and 30¢ for the 250.
 The following are the prices for the week ending January 2, 1905:—
 Blue-winged greenlets, 9¢; making 80¢ for the 100 and 30¢ for the 250.
 House finches, 10¢; making 100¢ for the 100 and 30¢ for the 250.

Receipts to-day, 6,210; through consignment, 23 cars. Market moderately active; prices

mance; offering mainly fair to medium
 prices. Receipts, 2,000; shipments, 1,000.
 Yonkers, Sept. 20, 1893; fair heavy: \$3.30
 and light in proportion to weight; com-
 mon, \$3.00 to \$3.15; best grades disposed
 at \$3.45 to \$3.55.

RAST LIGGING.
 EAST LIVERPOOL, Pa., Sept. 1.—Cattle.—
 Receipts, 1,000; sales, 1,000. The market
 tough and 1,070 of yearlings, total for the
 week ending this day, 6,100 head; 1,000
 1 yearlings, 1,000 yearlings and 3,517 local
 calves. As will be seen, the through run has
 been and there has been a heavy demand
 for calves. There were 60 loads on the market to
 day, which are nearly all sold at prices about
 as follows: At 10,000 lbs. and under, at \$2.40
 to \$2.50; 12,000 lbs. and over, at \$2.50 to
 \$2.60; 14,000 lbs. and over, at \$2.60 to
 \$2.70; 16,000 lbs. and over, at \$2.70 to
 \$2.80; 18,000 lbs. and over, at \$2.80 to
 \$2.90; 20,000 lbs. and over, at \$2.90 to
 \$3.00; 22,000 lbs. and over, at \$3.00 to
 \$3.10; 24,000 lbs. and over, at \$3.10 to
 \$3.20; 26,000 lbs. and over, at \$3.20 to
 \$3.30; 28,000 lbs. and over, at \$3.30 to
 \$3.40; 30,000 lbs. and over, at \$3.40 to
 \$3.50; 32,000 lbs. and over, at \$3.50 to
 \$3.60; 34,000 lbs. and over, at \$3.60 to
 \$3.70; 36,000 lbs. and over, at \$3.70 to
 \$3.80; 38,000 lbs. and over, at \$3.80 to
 \$3.90; 40,000 lbs. and over, at \$3.90 to
 \$4.00; 42,000 lbs. and over, at \$4.00 to
 \$4.10; 44,000 lbs. and over, at \$4.10 to
 \$4.20; 46,000 lbs. and over, at \$4.20 to
 \$4.30; 48,000 lbs. and over, at \$4.30 to
 \$4.40; 50,000 lbs. and over, at \$4.40 to
 \$4.50; 52,000 lbs. and over, at \$4.50 to
 \$4.60; 54,000 lbs. and over, at \$4.60 to
 \$4.70; 56,000 lbs. and over, at \$4.70 to
 \$4.80; 58,000 lbs. and over, at \$4.80 to
 \$4.90; 60,000 lbs. and over, at \$4.90 to
 \$5.00; 62,000 lbs. and over, at \$5.00 to
 \$5.10; 64,000 lbs. and over, at \$5.10 to
 \$5.20; 66,000 lbs. and over, at \$5.20 to
 \$5.30; 68,000 lbs. and over, at \$5.30 to
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 \$5.60; 74,000 lbs. and over, at \$5.60 to
 \$5.70; 76,000 lbs. and over, at \$5.70 to
 \$5.80; 78,000 lbs. and over, at \$5.80 to
 \$5.90; 80,000 lbs. and over, at \$5.90 to
 \$6.00; 82,000 lbs. and over, at \$6.00 to
 \$6.10; 84,000 lbs. and over, at \$6.10 to
 \$6.20; 86,000 lbs. and over, at \$6.20 to
 \$6.30; 88,000 lbs. and over, at \$6.30 to
 \$6.40; 90,000 lbs. and over, at \$6.40 to
 \$6.50; 92,000 lbs. and over, at \$6.50 to
 \$6.60; 94,000 lbs. and over, at \$6.60 to
 \$6.70; 96,000 lbs. and over, at \$6.70 to
 \$6.80; 98,000 lbs. and over, at \$6.80 to
 \$6.90; 100,000 lbs. and over, at \$6.90 to
 \$7.00; 102,000 lbs. and over, at \$7.00 to
 \$7.10; 104,000 lbs. and over, at \$7.10 to
 \$7.20; 106,000 lbs. and over, at \$7.20 to
 \$7.30; 108,000 lbs. and over, at \$7.30 to
 \$7.40; 110,000 lbs. and over, at \$7.40 to
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 \$7.60; 114,000 lbs. and over, at \$7.60 to
 \$7.70; 116,000 lbs. and over, at \$7.70 to
 \$7.80; 118,000 lbs. and over, at \$7.80 to
 \$7.90; 120,000 lbs. and over, at \$7.90 to
 \$8.00; 122,000 lbs. and over, at \$8.00 to
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 \$14.30; 248,000 lbs. and over, at \$14.30 to
 \$14.40; 250,000 lbs. and over, at \$14.40 to
 \$14.50; 252,000 lbs. and over, at \$14.50 to
 \$14.60; 254,000 lbs. and over, at \$14.60 to
 \$14.70; 256,000 lbs. and over, at \$14.70 to
 \$14.80; 258,000 lbs.

5; grass Texas, \$2.10@2.70; Colorados, \$2.00

[illegible]

ales: Cargo schr Woodstock, from Starkeon
September, 87 1/2c bid;

7. 80,000 ft selects at \$21.00; 900,000 standard
shingles at \$1.80; 250,000 No. 1 shingles at 70¢

